

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 358 - SB 1038

March 10, 2013

SUMMARY OF BILL: Adds trafficking for commercial sex acts, promoting prostitution, patronizing prostitution, solicitation of a minor, or soliciting sexual exploitation of a minor, and exploitation of a minor by electronic means to the list of criminal acts that can constitute “racketeering activity” under Tenn. Code Ann. § 39-12-203.

Adds trafficking for commercial sex acts, promoting prostitution, patronizing prostitution, solicitation of a minor, or soliciting sexual exploitation of a minor, and exploitation of a minor by electronic means to the list of criminal acts from which any money or value that is incurred or contracted constitutes “unlawful debt” under Tenn. Code Ann. § 39-12-203.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to statistics from the Department of Correction (DOC), there has not been any admission for racketeering influenced and corrupt organizations (RICO) violations in the past 10 years. According to the DOC, there have only been five convictions for RICO violations in the past 14 years, four in 1998 and one in 1999.
- It is assumed that adding trafficking for commercial sex acts, promoting prostitution, patronizing prostitution, solicitation of a minor, or soliciting sexual exploitation of a minor, and exploitation of a minor by electronic means to the list of criminal acts to the definition of “racketeering activity” and “unlawful debt” will not result in any additional admissions for RICO violations.
- Given that the bill will not likely result in a significant increase in convictions, it is assumed that the courts, district attorneys, and public defenders can accommodate any impact within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm